

Union Calendar No. 327

103D CONGRESS
2D SESSION

S. 859

[Report No. 103-590]

AN ACT

To reduce the restrictions on lands conveyed by deed under the Act of June 8, 1926.

JULY 12, 1994

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

APRIL 13, 1994

Referred to the Committee on Natural Resources

JULY 12, 1994

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

To reduce the restrictions on lands conveyed by deed under
the Act of June 8, 1926.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That ~~section 2 of the Act of June 8, 1926 (ch. 498; 44~~
4 Stat. 708), is amended by—

5 (a) inserting “(a)” before “The conveyance”;

6 (b) striking “States.” at the end of the first
7 sentence and inserting in lieu thereof “States, except
8 that such restrictions on conveyances and uses shall

1 not apply to those lands upon which communication
 2 facilities were located as of January 1, 1993.”; and

3 (c) adding at the end thereof the following new
 4 subsections:

5 “(b) Reasonable access for the repair, maintenance,
 6 or improvement of the communication facilities referred
 7 to in subsection (a) shall be allowed: *Provided*, That the
 8 granting of such access shall not be construed to require
 9 the Forest Service to upgrade the condition of the access
 10 route beyond the condition as of the date of enactment
 11 of the Act.

12 “(c) Recreational activities on the lands identified in
 13 section 1, totaling approximately one thousand four hun-
 14 dred and forty acres, may be allowed so long as such rec-
 15 reational use is consistent both with the protection of the
 16 watershed and water supply system of the city and with
 17 the management objectives for adjacent National Forest
 18 System lands.”.

19 That section 2 of the Act of June 8, 1926 (ch. 498; 44 Stat.
 20 708), is amended by—

21 (1) inserting “(a)” before “The conveyance”;

22 (2) striking “States.” at the end of the first sen-
 23 tence and inserting in lieu thereof “States, except that
 24 such restrictions on conveyances and uses shall not

1 *apply to those lands upon which communication fa-*
2 *cilities were located as of January 1, 1993.”; and*

3 *(3) adding at the end thereof the following new*
4 *subsections:*

5 *“(b) Reasonable use of an access route in existence on*
6 *June 1, 1994, across National Forest lands shall be allowed*
7 *for the repair, maintenance, or improvement of the commu-*
8 *nication facilities referred to in subsection (a), but the Sec-*
9 *retary of Agriculture shall not be required to improve the*
10 *condition of any such access route or to provide any addi-*
11 *tional access route for such purposes.*

12 *“(c) Recreational activities on the lands identified in*
13 *section 1, totaling approximately one thousand four hun-*
14 *dred and forty acres, may be allowed so long as such rec-*
15 *reational use is consistent both with the protection of the*
16 *watershed and water supply system of the city and with*
17 *the management objectives for adjacent National Forest*
18 *System lands. Construction of structures or other improve-*
19 *ments associated with such recreational activities shall be*
20 *permitted only to the extent that the Secretary of Agri-*
21 *culture has determined that such construction would be con-*
22 *sistent with protection of watershed and would not ad-*

- 1 *versely affect the resources and values of adjacent National*
- 2 *Forest System lands."*

Passed the Senate April 12 (legislative day, April 11), 1994.

Attest:

WALTER J. STEWART,
Secretary.